

REMARKS

Silicon Graphics, Inc., 100% owner of the above-identified Application as evidenced by an assignment of the Application by the inventors to Silicon Graphics, Inc. recorded on January 6, 2002 and shown in the Assignment Records of the United States Patent and Trademark Office at Reel 012451, Frames 00485-0489, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154-156 and §173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,678,798, filed July 20, 2001 and issued January 13, 2004, also owned by Silicon Graphics, Inc. and hereby agrees that any patent so granted on the above-identified patent application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to prior U.S. Patent No. 6,678,798, this agreement to run with any patent granted on the above-identified patent application and to be binding upon the grantee, its successors, or assigns.

ATTORNEY DOCKET NO.
062986.0297
(1097.51)

PATENT APPLICATION
10/725,897

3

Applicant does not disclaim any terminal part of any patent granted on the above-identified patent application prior to the expiration date of the full statutory term as defined in 35 U.S.C. §§154-156 and §173 of prior U.S. Patent No. 6,678,798 as presently shortened by any terminal disclaimer, in the event that one or more of the following occurs to prior U.S. Patent No. 6,678,798: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its full statutory term, as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

ATTORNEY DOCKET NO.
062986.0297
(1097.51)

PATENT APPLICATION
10/725,897

4

CONCLUSION

An amount of \$130.00 is required to satisfy the fee under 37 C.F.R. §1.20(d) pursuant to the new fee schedule effective December 8, 2004. Attached herewith is a check made payable to the "Commissioner of Patents and Trademarks" in an amount of \$110.00 to partially satisfy the terminal disclaimer fee. The Commissioner is hereby authorized to charge \$20.00 to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

The Commissioner is hereby authorized to charge any other fees or credit any overpayments to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

Attorneys for Applicant



Charles S. Fish

Reg. No. 35,870

December 8, 2004

CORRESPONDENCE ADDRESS

2001 Ross Avenue, Suite 600
Dallas, Texas 75201-2980
(214) 953-6507
Customer Number: 05073